

Enclosure A

*Index of Releasable Records: Request No. EPA-R5-2013-009000*

1. United States et al. v. McWane Inc. Complaint (Part 1); 6/25/2010; 100p
2. United States et al. v. McWane Inc. Complaint (Part 2); 6/25/2010; 158p
3. United States et al. v. McWane Inc. Complaint (Part 3); 6/25/2010; 80p
4. United States et al. v. McWane Inc. Consent Decree; 6/25/2010; 136p
5. EPA, Region 5, Interim Report with Draft Preliminary Findings, Multimedia Compliance Inspection; 8/31/2004; 10p
6. Ohio EPA Director's Final Findings and Orders for Clow Water Systems Company; 12/30/2004; 18p
7. Ohio EPA Director's Final Findings and Orders for Clow Water Systems Company; 10/29/2003; 10p
8. Letter re: Coshocton County, Clow Water Systems RCRA-SQG-LDF OHD004294849, From Rich Stewart, To: Patrick Huth; 6/2/2004; 4p
9. Memorandum re: Response to request for TC Rule Hazardous Waste Determination; From: Sylvia Lowrance, Office of Solid Waste, To: Stephanie Wallace, Region 8, Montana Office; 7/31/1991; 6p
10. Letter re: Inspection warning letter, From: Zachary Hamlin, To: Patrick Huth; 10/8/2004; 3p
11. Letter re: Inspection Correspondence – Warning Letter; Complaint Investigation Report, From: Kimbra Reinbold, To: Heather Klesch; 5/30/2007; 8p
12. Letter re: April 4, 2007 Inspection, From: Heather Klesch, To: Rich Stewart; 4/25/2007; 6p
13. Letter re: Finding and Notice of Violation at Clow Water Systems, From: Cheryl Newton, To: Heather Klesch; 4/24/2008; 13p
14. Letter re: Clow Water Systems Permit to Install # 06-07432, From: Zachary Hamlin, To: Patrick Huth; 3/4/2004; 24p
15. Letter re: Clow Water Systems Permit to Install # 06-07432, From: Zachary Hamlin, To: Patrick Huth ; 2/19//2004; 1p
16. Letter re: Clow Water Systems Permit to Install # 06-06896, From: Zachary Hamlin, To: Patrick Huth; 2/9//2004; 1p
17. Letter re: Clow Water Systems Permit to Install # 06-07603, From: Kimbra Reinbold, To: Patrick Huth; 10/30/2006; 30p
18. Facility Record of Permit Applications; no date; 5p
19. Ohio EPA Permit to Install Information Form; Application # 06-06986; no date; 14p
20. Ohio EPA Permit to Install Information Form; Application # 06-07111; no date; 2p  
Ohio EPA Final Title V Chapter 3745-77 Permit; 6/8/2000; 76p
21. Letter re: Request for Administrative Modification, From: Jeff Otterstedt, To: Kimbra Reinbold; 10/30/2006; 32p

22. Preventive Maintenance and Malfunction Abatement Plan for the Cupola Air Pollution Control System; 3/2005; 28p
23. Best Available Control Technology Determination; 5/2002 revised 1/2004; 20p
24. Letter re: Scrap Investigation Program, From: Patrick Huth, To: Region V Air and Radiation Division and Ohio EPA; 4/21/2005; 5p
25. Letter re: Response to USEPA Comments on BACT Determination, From: Craig Schmeisser, To: Jeet Radia; 5/21/2008; 56p
26. Letter re: Additional Information Concerning Clow Water Control Efficiency, From: Lowell Rotschild, To: Deborah Reyher and Peter Moore; 10/16/2008; 3p
27. Document Log for EPA, Region 5, Multimedia Compliance Inspection; 7/27-29/2004 and 8/3-4/2004; 7p
28. Project Plan, EPA, Region 5, Multimedia Compliance Inspection; 7/23/2004; 6p
29. Draft EPA, Region 5, Site-Specific Safety Plan for Field Activities; 7/23/2004; 10p
30. Draft EPA Multimedia Compliance Inspection records/documents requested for review; 7/21/2004; 4p
31. Facility Allowable Total Emissions; no date; 4p
32. Draft Permit; Permit # 06-07432; no date; 61p
33. Email with attachments, From: Kimbra Reinbold, To: Craig Schmeisser; re: letter; 10/30/2006; 54p
34. Email with attachment, From: Warren Hamel, To: Lowell Rothschild; re: Clow Water Systems Title V Permit; 3/18/2008; 28p
35. Letter re: U.S. v. McWane, Inc. Intent to Test Notification Form, From: William MacDowell, To: Heather Klesch; 11/12/2010, 1p
36. Site-Specific Test Plan; Determination of Total Front Half Particulate Matter and Visible Emissions; 3/11/2011; 36p
37. Letter re: Approval of Intent to Conduct Subsequent Stack Test at Cupola Scrubber System, From: William MacDowell, To: Heather Klesch; 3/21/2011; 3p
38. Letter re: Intent to Test Notification Form, From: Heather Rainwater, To: Kimbra Reinbold; 3/26/2013; 9p
39. Letter re: Clow Water Systems Notification of Deviation, From: Heather Rainwater, To: Kimbra Reinbold; 4/24/2013; 3p
40. Letter re: Compliance Test, From: Lisa Duvall, To: Heather Klesch; 5/29/2007, 57p
41. Letter re: Intent to Test Notification Form, From: Heather Rainwater, To: Kimbra Reinbold; 4/2/2012; 9p
42. Letter re: Violation under Consent decree under Civil Action No. (CV 10-JEO-1902-S), From: Jeet Radia, To: Kimbra Reinbold; 11/5/2010; 2p
43. Letter re: Intent to Test Notification Form, From Tyson Houcjin, To: Region 5, Air Enforcement and Compliance Assurance Branch; 10/6/2010; 7p

44. Letter re: Semi-annual Compliance Report (January 1, 2012-June 30, 2012), From: Tom Crawford, To: Region 5, Air and Radiation Division; 7/19/2012; 2p
45. Letter re: Notification of EMS Audit, From: Jeet Radia, To: Rober Kaplan; 1/5/2012; 1p
46. Compliance Stack Emission Test Report; Determination of Filterable Particulate Matter and Visible Emissions; 12/3/2010; 79p
47. Compliance Stack Emission Test Report; Determination of Filterable Particulate Matter and Visible Emissions; 6/6/2011; 130p
48. Compliance Stack Emission Test Report; Determination of Filterable Particulate Matter and Visible Emissions; 5/29/2013; 99p
49. Compliance Stack Emission Test Report; Determination of Filterable Particulate Matter and Visible Emissions; 5/31/2013; 93p
50. Title V Compliance Certification RY 2007; 4/7/2008; 5p
51. Semi-Annual Compliance Report-1st Half of 2006; 7/18/2006; 1p
52. Semi Annual Compliance Report-2nd half of 2006; 1/12/2007; 1p
53. Title V Compliance Certification RY 2006; 4/30/2007; 6p
54. 4th Quarter Deviation Report and 2nd Half 2006 Semi-Annual Report; 1/16/2007; 4p
55. 1st Quarter 2004 Deviation Report; 4/24/2004; 6p
56. 2nd Quarter 2004 Deviation Report; 7/12/2004; 6p
57. 3rd Quarter 2004 Deviation Report; 10/29/2004; 9p
58. 4th Quarter 2004 Deviation Report; 1/28/2005; 4p
59. 3rd Quarter 2005 Deviation Report; 10/24/2005; 4p
60. 2nd Quarter 2005 Deviation Report; 7/19/2005; 4p
61. 4th Quarter 2005 Deviation Report; 1/26/2006; 4p
62. 1st Quarter 2006 Deviation Report; 4/13/2006; 4p
63. 2nd Quarter 2006 Deviation Report; 7/19/2006; 4p
64. 3rd Quarter 2006 Deviation Report; 10/20/2006; 4p
65. 1st Quarter 2007 Deviation Report; 4/30/2007; 6p
66. Title V Certification Report; 4/28/2006; 40p
67. Semi-Annual Compliance Report-1st Half of 2005; 8/11/2005; 1p
68. Semi-Annual Compliance Report-2nd Half of 2005; 1/13/2006; 1p
69. Title V Certification Report; 4/29/2005; 40p
70. MMPP and Iron and Steel Foundry MACT Notification; 8/11/2004; 4p
71. Ohio EPA-DAPC Review of Deviation Reports; 2/13/2004; 5p
72. Sections of Quarterly Report submitted by McWane that include discussion related to Clow Water Systems (November 1, 2011 to January 31, 2012); 2/27/2012; 19p
73. Sections of Quarterly Report submitted by McWane that include discussion related to Clow Water Systems (February 1, 2012 to April 30, 2012); 5/31/2012; 5p
74. Sections of Quarterly Report submitted by McWane that include discussion related to Clow Water Systems (May 1, 2012 to July 31, 2012); 8/31/2012; 5p

75. Sections of Quarterly Report submitted by McWane that include discussion related to Clow Water Systems (November 1, 2012 to January 31, 2013); 2/28/2013; 5p
76. Sections of Quarterly Report submitted by McWane that include discussion related to Clow Water Systems (August 1, 2012 to October 31, 2012); 11/30/2012; 5p
77. Sections of Quarterly Report submitted by McWane that include discussion related to Clow Water Systems (November 1, 2010 to January 31, 2011); 2/25/2011; 6p
78. Sections of Quarterly Report submitted by McWane that include discussion related to Clow Water Systems (February 1, 2011 to April 30, 2011); 5/31/2011; 5p
79. Sections of Quarterly Report submitted by McWane that include discussion related to Clow Water Systems (September 20, 2010 to October 31, 2010); 11/24/2010; 7p
80. Sections of Quarterly Report submitted by McWane that include discussion related to Clow Water Systems (May 1, 2011 to July 31, 2011); 9/30/2011; 5p
81. Sections of Quarterly Report submitted by McWane that include discussion related to Clow Water Systems (August 1, 2011 to October 31, 2011); 11/30/2011; 5p
82. Ohio EPA Final Findings and Orders for for air pollution control law and rule violations by Clow Water Systems; 12/30/2004; 19p
83. Ohio EPA Proposed Director's Final Findings and Orders for air pollution control law and rule violations by Clow Water Systems Company; 11/10/2004; 25p
84. Article; EPA and Clow reach agreement on air pollution violations; 1/20/2005; 2p
85. Emission Data; no date; 4p
86. Deviation Reports; no date; 53p
87. 2003 Emission Calculations; 4/15/2004; 153p

Enclosure B

Index of Withheld Records: Request No. EPA-R5-2013-009000

Exemption 5 (Attorney Work-Product, Attorney-Client Privilege, and/or Deliberative process)

1. Multimedia Civil Litigation Report; 2/11/2005; 49p
2. EPA, Region 5, Interim Report with Draft Preliminary Findings for Multimedia Compliance Inspection; 8/31/2004; 6p
3. EPA staff notes of calls regarding conversations with Ohio EPA and McWane's consultants regarding PSD Emission limit; 3/12/2008; 9p
4. Comments on BACT Determination for Clow Water Systems Company; 5/2002 revised 2004; 3p
5. Memorandum-Consent Decree Resolving Violations of CAA, CWA, RCRA, CERCLA, EPCRA and TSCA at Four McWane facilities in Region 5 as part of Global Settlement with McWane, Inc.; From: Robert Kaplan, Cheryl Newton, Tinka Hyde, Margaret Guerriero and Richard Karl, To: Bharat Mathur; 4/14/2010; 9p
6. Region 5 CAA Case Docket Review; 3/2010; 1p
7. Comments on April 9, 2008 letter from McWane Region 5's penalty calculations; no date; 2p
8. EPA's To-Do-List for McWane; 8/21-23/2007 revised 10/4/2007; 8p
9. Follow-up items for McWane; no date; 6p
10. Draft United States et al. v. McWane, Inc. Consent Decree; no date; 28p
11. Memorandum-Recommendation to issue a Notice of Violation and Finding of Violation to Clow Water Systems; From: George Czerniak, To: Cheryl Newton; 4/24/2008; 3p
12. Internal emails regarding Clow draft permit; From: Sheila Desai, To: Peter Moore and Christine Liszewski; 8/15/2008; 2p
13. McWane Inc. Enforcement Initiative Conference Call; 11/2/2004; 2p  
Memorandum-Explanation of Penalty Calculation Regarding Clow Water Systems Company; From Sheila Desai and William MacDowell, To: Christine Liszewski and Debra Klassman; 1/20/2005; 15p
14. Cost and Analysis sheet for stack emissions; no date
15. Internal email regarding settlement communication, From: Peter Moore, To: Alicia Hoegh, Barbara McGarry and Beth Cavalier; 4/28/2008; 1p
16. Summary of McWane Violations; no date; 9p
17. Injunctive Relief for Audit Findings and Regional and State Referrals; 3/19/2007; 11p
18. Internal email regarding Clow Water Summary, From: Sheila Desai, To: Christine Liszewski; 5/1/2007; 1p
19. McWane Audit Report; 5/4/2006; 4p
20. Internal email regarding McWane updates and possible violations, From: Peter Moore; 4p
21. Internal email regarding McWane update; From: Sonja Petersen; 1/7/2005; 5p
22. Enforcement Initiative Conference Call; 11/2/2004; 5p

23. Internal email regarding draft chart of possible violations at McWane facilities; From: Sonja Petersen
24. Internal email regarding regional referrals, From: Christine Liszewski, To: Michael Beedle; 3/3/2008; 1p
25. Internal email regarding TA and arsenic article, From: Sheila Desai, To: Peter Moore and Christine Liszewski; 8/25/2008; 3p
26. Internal email regarding Clow Ohio EPA enforcement action follow-up, From: Sonja Petersen, To: Sheila Desai and John Gierczak; 9/16/2004; 2p
27. Internal email regarding stack testing and Wednesday conference call, From Peter Moore, To: Christine Liszewski, Sheila Desai, Beth Cavalier, Caroline Hermann, and Thomas Driscoll; 7/1/2008; 1p
28. Internal email regarding Clow issues, From: Peter Moore, To: Christine Liszewski and Sheila Desai; 6/30/2008; 1p
29. Violations at McWane facilities; no date; 48p
30. Possible violations at McWane facilities; 9/21/2004; 14p

*Exemption 7A (Records and information compiled for law enforcement purposes)*

31. Emission Limit Enforcement Protocol; 1/5/2009; 15p
32. McWane Global Civil Settlement Negotiations Summary; 4/28/2008; 8p
33. McWane response to EPA Stipulated Penalties Proposal; 8/21/2008; 2p
34. Letter re: McWane Inc. Report Findings Involving Multiple Violations; To: Deborah Reyher, Warren Hamel and Peter Moore, From: Ridgeway Hall, Jr; 8/25/2006; 38p
35. Letter re: Matters submitted in Compromise Negotiations, From: Warren Hamel, To: Deborah Reyher and Peter Moore; 2/8/2008; 5p
36. Letter re: Matters submitted in Compromise Negotiations, From: Lowell Rothschild, To: Deborah Reyher and Peter Moore; 1/25/2008; 5p
37. Letter re: EPA Region V Referral Items, From: Gregory Braker, To: Deborah Reyher and Peter Moore; 4/9/2008; 10p
38. Letter re: Matters submitted in Compromise Negotiations, From: Warren Hamel, To: Deborah Reyher and Peter Moore; 8/5/2008; 3p
39. Letter re: Matters submitted in Compromise Negotiations, From: Lowell Rothschild, To: Deborah Reyher and Peter Moore; 6/12/2008; 2p
41. Letter re: Matters submitted in Compromise Negotiations, From: Warren Hamel, To: Deborah Reyher and Peter Moore; 6/24/2008; 5pLetter re: Matters submitted in Compromise Negotiations; 7/11/2008, From: Warren Hamel, To: Deborah Reyher; 6p
42. Letter re: Matters submitted in Compromise Negotiations, From: Warren Hamel, To: Deborah Reyher and Peter Moore; 7/24/2008; 5p

43. Letter re: Matters submitted in compromise negotiations, From: Warren Hamel, To:  
Deborah Reyher and Peter Moore ; 3/18/2008; 2p